

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
No. 2:12-CV-75-F

THE CINCINNATI INSURANCE)
COMPANY,)
)
Plaintiff,)
)
) **ORDER**
v.)
)
HOSPITAL PHARMACY PROPERTIES,)
L.L.C.; TAYLOR DRUG T/A HOSPITAL)
PHARMACY; TAYLOE DRUG STORE;)
and TAYLOE DRUG COMPANY, INC.,)
)
Defendants.)

Plaintiff initiated this action by filing the "Complaint for Declaratory Judgment, Stay of Appraisal, and for Permanent Injunction" [DE-1] on October 25, 2012. Five days later, Plaintiff filed its Motion for Temporary Restraining Order and/or Preliminary Injunction and/or Stay of Appraisal [DE-6]. The undersigned has been informed that the parties have since reached an agreement to stay any appraisal proceedings, pending the court's ruling on the Plaintiff's motion for preliminary injunction. Accordingly, to the extent Plaintiff seeks a temporary restraining order, the motion is DENIED as moot.

By request of the parties, Defendants' memorandum in response to the Motion for Preliminary Injunction is due on or before November 26, 2012. Plaintiffs' reply, if any, shall be filed no later than December 3, 2012. The Clerk of Court is DIRECTED to schedule a hearing on Plaintiffs' Motion for Preliminary Injunction on December 10, 2012, at 2:30 p.m., or as soon thereafter as the court may reach it, in Courtroom 1, at the Alton Lennon Federal Building in Wilmington, North Carolina.

Counsel for Plaintiff shall cause this order to be served on counsel for Defendants on or before November 14, 2012.

SO ORDERED.

This the 7th day of November, 2012.



James C. Fox
Senior United States District Judge